

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- V. -

BRUCE GARELICK

Defendant.

X

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: CONSENT PRELIMINARY ORDER
OF FORFEITURE/
: MONEY JUDGMENT

: S1 23 Cr. 307 (LJL)

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X

BRUCE GARELICK : S1 23 Cr. 307 (LJL)
Defendant. :
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WHEREAS, on or about February 6, 2024 BRUCE GARELICK (the “Defendant”), among others, was charged in a Superseding Indictment, S1 23 Cr. 307 (LJL) (the “Indictment”), with conspiracy to commit securities fraud, in violation of Title 18, United States Code, Section 371 (Count One); securities fraud in violation of Title 15, United States Code, Sections 78j(b) and 78ff; Title 17, Code of Federal Regulations Section 240 10b-2, Title 18, United States Code, Section 2 (Counts Two through Four, Six, and Seven); and securities fraud in violation of Title 18, United States Code, Sections 1348 and 2 (Count Ten);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Four, Six, Seven, and Ten of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Four, Six, Seven, and Ten of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Ten of the Indictment;

WHEREAS, on or about May 17, 2024, the Defendant was found guilty, following a jury trial, of Counts One through Three, Six and Ten of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$49,701.37 in United States currency representing proceeds traceable to the commission of the offenses charged in Counts One through Three, Six and Ten of the Indictment, that the Defendant personally obtained;

WHEREAS, the Government asserts that any and all funds up to \$49,701.37 in United States currency in Fidelity Account 224-876425 (the "Specific Property") constitutes proceeds traceable to the offenses charged in Counts One through Three, Six and Ten of the Indictment; and

WHEREAS, in lieu of forfeiting the Specific Property, the Government has agreed to accept a payment from the Defendant in the amount of \$49,701.37 in United States currency to be paid on or before sentencing (the "Payment");

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Daniel G. Nessim and Matthew R. Shahabian, of counsel, and the Defendant, and his counsel, Jonathan Bach, Esq., Alexandra Shapiro, Esq., and Julian Brod, Esq.:

1. As a result of the offenses charged in Counts One through Three, Six and Ten of the Indictment, to which the Defendant was found guilty following a jury trial, a money judgment in the amount of \$49,701.37 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One through Three, Six and Ten of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant BRUCE

GARELICK , and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. The Defendant agrees to make the Payment on or before sentencing.
4. In the event, the Defendant fails to make the Payment, the Government is authorized to submit to the Court a Preliminary Order of Forfeiture as to Specific Property, seeking to forfeit the Defendant's interest in the Specific Property.
5. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service , and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278 and shall indicate the Defendant's name and case number.
6. The United States Marshal Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.
7. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.
8. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

9. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

10. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: *Matthew Shahabian* 10/29/24
 Daniel G. Nessim/Matthew R. Shahabian
 Assistant United States Attorney
 One St. Andrew's Plaza
 New York, NY 10007
 (212) 637-1046

DATE

BRUCE GARELICK
 By: *Bruce Garslick* 10/28/2024
 BRUCE GARELICK
 By: *M A S* DATE
 Jonathan Bach, Esq.
 Alexandra Shapiro, Esq.
 Julian Brod, Esq.
 Attorneys for Defendant

DATE
10/28/24

SO ORDERED:

HONORABLE LEWIS J. LIMAN
UNITED STATES DISTRICT JUDGE

11/7/2024
DATE